APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,052	07/31/2001	James A. Starkey	N10-001	4252

7590   09/15/2003

George A. Herbster, Esq.
Suite 303
40 Beach Street
Manchester, MA 01944

EXAMINER
FLEURANTIN, JEAN B

ART UNIT	PAPER NUMBER
2172	2

DATE MAILED: 09/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	Application No. 09/919,052	Applicant(s) STARKEY, JAMES A.
	Examiner Jean B Fleurantin	Art Unit 2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 July 2001* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *14-26* is/are allowed.

6)☒ Claim(s) *1-3* is/are rejected.

7)☒ Claim(s) *4-13* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

     If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____ .

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

     a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

1.   This is Office Action in response to the application filed on July 31, 2001, in which

claims 1-26 are presented for examination.

Drawings

2.   The drawings filed on July 31, 2001, are objected by the Draftsperson under 37 CFR 1.84

or 1.152 for the reasons as indicated in PTO-948. Corrected drawings are required.

Claim Objections

3.   Claims 1, 4 and 15 are objected to because of the following informalities:

        As per claim 1, line 9, the Examiner suggests changing "the applications" to - - said at

least one application - - for clarity purposes.

        As per claim 4, line 7, the Examiner suggests inserting - - further - - before "including"

for better readability purposes.

        As per claim 15, line 2, the Examiner suggests inserting – said -- before "system" for

better readability purposes.

        Appropriate correction is required.

Claim Rejections - 35 USC § 112

4.   Claims 1-13, 20 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

As per claim 6, line 4, it is unclear as to what the term "it" is being referred to. Also, on

line 4, the Examiner suggests applicant to insert - - further - - after "manager".

As per claim 7, line 3, "the list" lacks clear antecedent basis.

As per claim 20, line 4, "said incorporating means" lacks clear antecedent basis.

As per claim 21, line 10, "the homonym list" lacks clear antecedent basis.

Claims not directly addressed are rejected based on their dependencies.

Claim Rejections - 35 USC § 103

5. .   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

·obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent

No. 5,987,480 issued to Donohue et al. (hereinafter "Donohue").

As per claim 1, Donohue teaches a web page generator for supplying web pages for

display by a browser as claimed, comprising an application store with at least one application

that identifies templates by name (see col. 5, lines 33-37, the directory identified in the locator is

searched for a first default document template corresponding to the requested document, if the

first default template exists in the directory and it is selected for use as the document template;

which is readable as an application store with at least one application that identifies templates by

name),

an interface for generating a modified user request that identifies one of the applications

in said application store in response to a user request from a browser (see col. 7, lines 59-61 and

col. 5, lines 3-13, the data source interface function twenty retrieves content from the data source

twelve and stores the content in a container class as a pool of name/value pairs; which is readable

as an interface for generating a modified user request that identifies one of the applications in

said application store in response to a user request from a browser);

an application manager responsive to the modified user request for processing a selected

application including the identification of all the templates in said template store related to the

application (see col. 5, lines 2-10 and lines 59-67, in response to a request from a client computer

for a document, automatically providing a document which is compatible with the client

computer's browser type, the method involves storing on the web server a plurality of document

templates compatible with a plurality of types of web browsers, automatically identifying at the

web server the type of browser operating on the client computer; which is readable as an

application manager responsive to the modified user request for processing a selected application

including the identification of all the templates in said template store related to the application),

a templates manager for selecting one of said templates in said template store according

to a template name and selection criteria from said application manager (see col. 7, lines 15-22,

the web server also stores a library of functions twenty two which are called by the script

fourteen and a plurality of document templates twenty four, the template selection function

sixteen selects one of the templates twenty four to be used based at least in part on the URL

received at the web site and the template parsing function eighteen; which is readable as a

templates manager for selecting one of said templates in said template store according to a template name and selection criteria from said application manager);

a template store with a plurality of templates (see col. 5, lines 26-31, the method involves designing and storing a plurality of document templates on the web server in a hierarchical directory structure, each document template corresponding to one of a plurality of possible documents which may be requested by users; which is readable as a template store with a plurality of templates, each template having a name, a body and selection criteria templates having names). Donohue does not specifically teach each template having a name, a body and selection criteria with at least two templates having the same name. It would have been obvious to have two templates having the same name in other to facilitate the retrieval of users information, whereby the users having a plurality related documents or request. Instead of retrieving documents one by one, they can be retrieved under one identification. Further, Donohue does not explicitly indicate said application manager producing a representation of a web page in response to the body of each selected template that said interface converts into a form that is compatible with the user's web browser. However, Donohue indicates a method being described herein for, in response to a request from a client's computer for a document, automatically providing a document which is compatible with the client computer's browser type, (see col. 5, lines 2-5). It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the teachings of automatically providing a document based on a client web browser and by storing a plurality of related templates as taught by Donohue by converting a template based on a client's type of web browser. This modification would have allowed a reduced storage capacity and thus would have improved the

efficiency of the method and apparatus for generating webs pages from templates, and provide

instant web pages to users which are customized and individualized to each user's particular

needs and interests, (col. 3, lines 9-11).

As per claim 2, Donohue teaches a web page generator as claimed wherein said templates

manager includes means responsive to a first request for a template from an application for

generating a template object for each template in the application and a template set object for the

application, said template set object identifying each template object and each template object

identifying a corresponding template for retrieval (see col. 5, lines 61-66, the data source of

Donohue functions as a template set object identifying each template object for retrieval and

populating the template with objects or contents to populate a given template; which is readable

as identifying a corresponding template for retrieval).

As per claim 3, Donohue teaches a web page generator as claimed wherein said templates

manager includes a pointer to the template set object for the application (see col. 4, lines 31-35,

the step of determining which of the first content to retrieve would then comprise retrieving the

characteristics associated with the identified user and determining which of the first content to

retrieve based on the characteristics; which is readable as wherein said templates manager

includes a pointer to the template set object for the application).

Claim Objections

6.   Claims 4-13 are objected to as being dependent upon a rejected base claim, but would be

allowable if rewritten in independent form including all of the limitations of the base claim and

any intervening claims.

The prior art of record does not teach or suggest in combination with other elements, wherein each template set object generated by said templates manager has a plurality of pointers to groups of template objects, wherein all template objects for the same template name are identified by the same pointer and wherein a single pointer can refer to template objects of different names, said templates manager including means for identifying a given pointer based upon a template name and means for thereafter selecting a specific template object and corresponding template from the identified group of template objects and templates as recited in claim 4.

Claims 5-13 further limit the subject matter of claim 4.

Allowable Subject Matter

7.   Claims 14-26 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The present application has been thoroughly reviewed. Upon extensive diverse databases searches, the examiner deems that the claimed features "ii) means for generating a template object including the new template name and reference to the given application, and iii) means for adding the new template object to the template set object at a predetermined location therein." in conjunction with other elements of the independent claims would not found anticipated or obvious over the prior art made of record. Therefore, claims 14-26 are hereby allowed.

Prior Art

8.   The prior art of record and not relied on upon is considered pertinent to applicant's disclosure. Klassen et al. U.S. Patent No. 6,212,536 relates to a method for generating pages for web browsers. Ferrel et al. U.S. Patent Nos. 6,230,173 and 6,584,480 both relate to structured documents in a publishing system.
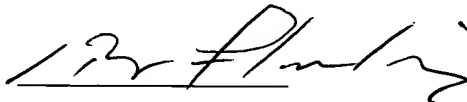
Contact Information

9.   Any inquiry concerning this communication from examiner should be directed to Jean

Bolte Fleurantin at (703) 308-6718. The examiner can normally be reached on Monday through

Friday from 7:30 A.M. to 6:00 P.M.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's

supervisor, Mrs. KIM VU can be reached at **(703) 305-8449.** The FAX phone numbers for the

Group 2100 Customer Service Center are: *After Final* **(703) 746-7238,** *Official* **(703) 746-7239,**

and *Non-Official (703) 746-7240.* NOTE: Documents transmitted by facsimile will be entered

as official documents on the file wrapper unless clearly marked *"DRAFT".*

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Group 2100 Customer Service Center receptionist whose telephone

numbers are **(703) 306-5631, (703) 306-5632, (703) 306-5633.**

Jean Bolte Fleurantin

September 6, 2003

JBF/